

ABRAHAM M. RUNYON.

JANUARY 19, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. TRACEY, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 8716.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 8716) to remove the charge of "absent without leave" from the military record of Abraham M. Runyon, beg leave to report as follows:

The evidence shows that Runyon enlisted in Company D of the Fifteenth Regiment United States Reserve Corps, Polk County (Mo.) Home Guards, in June, 1861, and was discharged at Jefferson City, Mo., in December, 1861. While in camp at Jefferson City he was informed that Price's army, after the battle of Wilson Creek, Missouri, had encamped on his (claimant's) farm; that they had taken almost everything he had provided for his wife and family to subsist upon, and that his wife and child were sick. Under these circumstances he went home, after having been refused a furlough by the commanding officers of his regiment, with the full knowledge of his officers, and was absent only long enough to make provision for his family—about ten days or two weeks—when he returned. While he was absent the pay roll of the company was made out and he was marked "Absent without leave." Had it not been for the making of this roll he would not have been so marked. In this connection reference is made to the report of the War Department, which is appended and made a part of this report.

Your committee report the bill favorably and recommend that it do pass.

WAR DEPARTMENT,
Washington City, January 15, 1897.

SIR: In reply to your request for information upon House bill 8716, Fifty-fourth Congress, first session, for the relief of Abraham M. Runyon as a private of Company D, Fifteenth Regiment United States Reserve Corps, Missouri Home Guard Volunteers, I have the honor to inclose a report from the Chief of the Record and Pension Office of this Department.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The CHAIRMAN, COMMITTEE ON MILITARY AFFAIRS,
House of Representatives.

Case of Abraham M. Runyon, late of Company D, Fifteenth United States Reserve Corps, Missouri Home Guards.

It is shown by the record of allowances made by the Hawkins Taylor Commission, appointed under the joint resolutions of Congress of July 12, 1862, and February 16, 1863, on file in this office, that Abraham M. Runyon, private of Captain Wakefield's Company (D), Fifteenth United States Reserve Corps, Missouri Home Guards, was absent without leave between August 23 and December 6, 1861, the time during which this organization was in the service of the United States.

In an application for an honorable discharge the soldier testified, June 26, 1889, that he enlisted under the name Abraham Runyon in Capt. John W. Wakefield's Company (D), of the Fifteenth Regiment United States Reserve Corps, Polk County (Mo.) Home Guards, June —, 1861, and was discharged from the service of the United States at Jefferson City, Mo., December —, 1861.

In an application for the removal of the charge of absence without leave, the soldier testified, August 30, 1892, that he was a member of this company and regiment, organized July 6, 1861, and reorganized August 23, 1861; that on reorganization he joined as a private, having formerly been the first lieutenant of his company; that a part of General Price's army, on its way north, camped on his (applicant's) farm, taking nearly everything he had for his wife and family to subsist upon, his wife and one child being then sick; that he received a communication from his wife asking him to come home, if possible; that he requested his colonel's permission to go home, which was refused; that thereupon he went home without leave, secured provisions for his family, and then returned to his command and served with it until December 6, 1861.

H. J. Eaton and Elihu Potts testified August 30, 1892, that they were, respectively, first sergeant and private in the applicant's company, were well acquainted with him before the war, and remembered the circumstances attending his going home, the Confederate forces having destroyed all his crops and taken almost all that his family had to subsist upon. They declared that he asked permission of the colonel, who refused it; that notwithstanding the refusal applicant went home, but returned to his company and served to the end of its service, December 6, 1861.

The application for relief was denied September 3, 1892, the testimony submitted not being deemed sufficient to warrant favorable action under the law.

In a renewed application the soldier testified, November 24, 1893, that some time in September, 1861, he learned that the Confederate forces had camped on his farm and consumed his crops, and that his wife was sick; that he asked for a furlough, but his captain could not grant it; that he went home, straightened out his affairs, and in ten days or two weeks returned to his command, served out his time, and was discharged honorably.

Joseph McBrown and James J. Akard testified, same date, the former that he was first lieutenant of Company D, and the latter that he was first lieutenant of Company A, Fifteenth United States Reserve Corps, Missouri Home Guards, and both that the applicant served all his time of service, excepting about ten days or two weeks in September, 1861, when he was home attending to his sick family, which had been despoiled by the Confederate forces; that no furloughs were given at the time, and he was marked "Absent without leave;" that he went away publicly, his officers, who knew where he was going, but who had no authority to grant him a furlough, offering no objection to his departure, and that he did not desert, but was a good and true soldier throughout his service.

On July 13, 1894, the Hon. John F. Heard, M. C., was informed by letter from this office that on November 29, 1893, the applicant was advised, in a letter addressed to his attorney, that as the claims of the members of this organization had been adjudicated by the Hawkins Taylor Commission under special provision of law, the record of his unauthorized absence established by that Commission could not be changed by this Department without special legislation by Congress.

Since that date the status of the case has remained unchanged.

Respectfully submitted.

F. C. AINSWORTH,

Colonel, United States Army, Chief Record and Pension Office.

RECORD AND PENSION OFFICE,

War Department, January 15, 1897.

THE SECRETARY OF WAR.